

REMARKS

Claims 1-6 and 10 were rejected under 35 U.S.C. §102(b) as being anticipated by Gelman. Claims 1, 2 and 4-10 were rejected under 35 U.S.C. §102(b) as being anticipated by Frazer. Applicant has cancelled claims 1-4, amended claims 5, 7 and 10, and added claims 11-15. Reconsideration and further examination is respectfully requested.

The present invention relates to a fragrance dispenser having a shaped body to provide an attractive appearance. More particularly, it relates to a fragrance dispenser having a shaped body in the form of an animal. The cited art discloses different types of dispensers for fragrances or other aerosol distributed products.

Gelman discloses a mannequin shaped device for dispensing samples of perfumes, lotions, etc. A button to activate the device is located on one hand of the mannequin and the product is dispensed from the other hand. The product and the dispensing structures are located in the body of the mannequin.

Frazer discloses a dispenser having a top which is designed to look like a pen. The product to be dispensed is located in a body. The pen shaped top operates to dispense the product through a release valve. Similarly, Hudgins discloses a gun shaped dispenser. Liao discloses a dispenser shaped as a flower vase.

None of the cited prior art discloses decorative animal shaped dispensers as in the present invention. Applicant has added claim 11 to more fully recite the present invention. As set forth in claim 11, the fragrance dispenser of the present invention includes a shaped body in the form of a non-human animal. “Animal” has been used throughout the specification and the claims with its generally understood meaning which excludes humans. Since humans technically could be considered animals, Applicant has included the term “non-human” in claim 11 with respect to

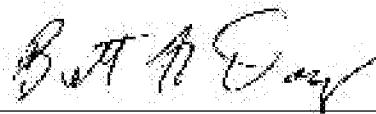
the animal shape of the dispenser. Claim 11 further recites a fragrance chamber, release valve, spray head, and spray tube within the shaped animal body of the dispenser. As noted above, none of the cited art discloses a decorative fragrance dispenser in the form of a shaped animal nor the fragrance dispensing components of such a dispenser. Accordingly, claim 11 distinguishes over the cited art and is in condition for allowance.

Claims 5-10 and 12-15 depend directly or indirectly from claim 11 and are allowable for at least the same reasons. These claims include additional elements which further distinguish over the cited art. For example, claims 12-15 relate to the positioning of the spray head and activator with respect to the animal shaped body. None of the cited art discloses, teaches or suggests such structures. Therefore, the dependent claims are also in condition for allowance.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Brett N. Dorny, Applicants' Attorney at 508-709-0501 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,



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Date

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